

DEP & REF 307



PATENT MAINTENANCE
DIVISION

Nixon & Vanderhye P.C.
ATTORNEYS AT LAW

2004 AUG 18 PM 4:50

8TH FLOOR
1100 NORTH GLEBE ROAD
ARLINGTON, VIRGINIA 22201-4714

TELEPHONE: (703) 816-4000
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WRITER'S DIRECT DIAL NUMBER:
(703) 816-4026

August 12, 2004

Honorable Commissioner of Patents
and Trademarks
Office of Finance
Refunds Section
Crystal Park 1, Suite 802
Washington, DC 20231-0002

Subject: REQUEST FOR FEE REFUND
Inventor: HOYT et al
Serial No.: 10,059,364
Filing Date: January 31, 2002
Title: DYED SHEATH/CORE FIBERS AND METHODS OF MAKING
SAME
Attorney Docket: 1005-189

Dear Sir:

Regarding the Monthly Statement of Deposit Account dated July, 2004 (copy attached), we believe there is a fee related error therein, which has resulted in a charge to our Deposit Account that appears to be unwarranted. Please refer to the following explanation and advise us of your own review as soon as possible.

Our account was charged \$330.00 for a "Notice of Appeal" and \$420.00 for an "extension for response within second month," both posted on July 8, 2004, in the above-identified matter. After a careful review of the file we have discovered that the required fee of \$750.00 is erroneous. All fees were paid by check No. 85908 when the Notice of Appeal was filed on June 30, 2004 (copy of cover sheet, postcard receipt and canceled check enclosed). Therefore, it is requested that a refund in the amount of \$750.00 be credited to our Deposit Account Number 14-1140 for which purpose a duplicate copy of this request is attached.

Thank you for your time and assistance, and if you have any questions, please do not hesitate to call me at the above number.

Respectfully submitted,

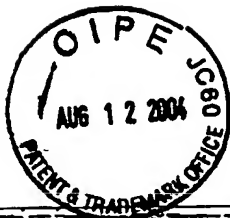
NIXON & VANDERHYE P.C.

By: 

Bryan H. Davidson, Esq.
Reg. No. 30,251

BHD:fmh
Copy to: Nixon & Vanderhye P.C. Accounting Department

BEST AVAILABLE COPY



PATENT MAINTENANCE
DIVISION

2004 AUG 12 PM 4:50

85908

NIXON & VANDERHYE, P.C.

PTO ACCOUNT
1100 N. GLEBE ROAD, 8TH FLOOR
ARLINGTON, VA 22201-4714

DATE 6-30-04

68-426-614

PAY
TO THE
ORDER OF

NON. COMMISSIONER OF PATENTS AND TRADEMARKS

\$ 750.00

Seven Hundred Fifty and 00/100

DOLLARS

1005-189				

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNT'S LISTED

⑈00085908⑈ ⑆051404260⑆5139088230⑈

⑈0000075000⑈

Account:5139088230
CheckAmt: 750.00
SerialNum:85908
PostDate:20040702
ItemSeqNu:302713074
ProcDate:07/02/2004
TrRoutNum:0
TracerNum:302
TransCode:0

ECP 6517
PK1001
07/06/04

2000534605

JL-23

6109 76514

⑈0310000114⑈
HACHO/LA WA SUPPLY CO. INC.
PHILIP, PA 07628-1241
7411056561

Account:5139088230
CheckAmt: 750.00
SerialNum:85908
PostDate:20040702
ItemSeqNu:302713074
ProcDate:07/02/2004
TrRoutNum:0
TracerNum:302
TransCode:0

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PATENT MAINTENANCE
DIVISION



**United States
Patent and
Trademark Office**

204 AUG 18 PM 4: 50

Deposit Account Statement

Requested Statement Month:	July 2004
Deposit Account Number:	141140
Name:	NIXON & VANDERHYE P.C.
Attention:	LENARD MITCHARD
Address:	1100 N GLEBE ROAD
City:	ARLINGTON
State:	VA
Zip:	22201-4714

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
07/01	1	10239146	611-66 LCM	1202	\$432.00	\$18,191.98
07/01	3	10291829	1767-111	1253	\$950.00	\$17,241.98
07/01	4	10291829	1767-111 MJS	1814	\$110.00	\$17,131.98
07/01	24	09986646	723-1215 RWT	8001	\$3.00	\$17,128.98
07/01	53	09532768	2466-60	1504	\$285.00	\$16,843.98
07/01	55	09532768	2466-60 JRL	8001	\$15.00	\$16,828.98
07/01	105	5476654	4379-3 WG	8021	\$40.00	\$16,788.98
07/02	26	PCT/US04/19034	4061-24 GRT	1703	\$48.00	\$16,740.98
07/02	436	1524385	854-11 DTB	8521	\$40.00	\$16,700.98
07/06	4	10416567 HWB	2466-113 (JRH)	1806	\$180.00	\$16,520.98
07/07	1	09789574	1248-30 MEN	1201	\$86.00	\$16,434.98
07/07	2	09503912	375-18 RW A	1202	\$18.00	\$16,416.98
07/07	8	10500613	51-575	1610	\$770.00	\$15,646.98
07/07	9	10500613	51-575 ARC	1617	\$130.00	\$15,516.98
07/07	21	REPLENISHMENT		9204	-\$5,000.00	\$20,516.98
07/08	4	10059364			\$300.00	\$20,186.98
07/08	4	10452907	1035-452 HWB	1806	\$180.00	\$20,006.98
07/08	5	10059364			\$180.00	\$19,586.98
07/09	1	PCT/US03/36336	4389-6 PTB	1604	\$840.00	\$18,746.98
07/09	48	10239087	36-1606 LSN	8021	\$40.00	\$18,706.98
07/12	1	09831724	124-852	1201	\$86.00	\$18,620.98
07/12	2	09831724	124-852 ARC	1202	\$18.00	\$18,602.98
07/12	3	D402755 Paul	7398-57	9204	-\$40.00	\$18,642.98
07/12	38	10128590 BJS	255-2551-75	8021	-\$40.00	\$18,682.98
07/13	137	09976048	1035-349 HWB	8021	\$40.00	\$18,642.98
07/14	1	10499403	3665-99 BJS	1613	\$920.00	\$17,722.98
07/14	2	10472884	620-276 BJS	1253	\$558.00	\$17,164.98
07/14	2	10499403	3665-99 BJS	1615	\$486.00	\$16,678.98

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

HOYT et al

Serial No. 10/059,364

Filed: January 31, 2002

Title: DYED SHEATH/CORE FIBERS AND METHODS OF MAKING SAME

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Atty Dkt.: 1005-189

C# M#

TC/A.U.: 1771

Examiner: Cheryl Ann Juska

Date: June 30, 2004

Sir:

☐ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner. (\$ 330.00)

\$ 330.00

☐ An appeal BRIEF is attached in triplicate in the pending appeal of the above-identified application (\$ 330.00)

\$

☐ Credit for fees paid in prior appeal without decision on merits

-\$ ()

☐ A reply brief is attached in triplicate under Rule 193(b)

(no fee)

07/08/2004 TROSS1 00000005 141140 10059364

01 FC:1252 Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months; \$1480.00/4 months)

\$ 420.00

SUBTOTAL \$ 750.00

☐ Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract

-\$ ()

☐ "Small entity" statement attached.

SUBTOTAL \$ 750.00

Less month extension previously paid on

-\$ (0.00)

07/08/2004 TROSS1 00000004 141140 10059364

TOTAL FEE ENCLOSED \$ 750.00

01 FC:1401 Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor

Arlington, Virginia 22201-4714

Telephone: (703) 816-4000

Facsimile: (703) 816-4100

BHD:fmh

NIXON & VANDERHYTE P.C.

By Atty: Bryan H. Davidson, Reg. No. 30,251

Signature: 

Adjustment date: 09/21/2004 EEKUBAY1

07/08/2004 TROSS1 00000005 141140 10059364

01 FC:1252 420.00 CR

Adjustment date: 09/21/2004 EEKUBAY1

07/08/2004 TROSS1 00000004 141140 10059364

01 FC:1401 330.00 CR

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